

AGENDA

BOARD OF MAYOR AND ALDERMEN

October 3, 2006

7:30 PM

**Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order in joint session with the Library Trustees.
2. The Clerk calls the roll.

Board of Aldermen: Roy, Gatsas, Long, Duval, Osborne, Pinard,
O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Library Trustees: Joanne Barrett, Peter Duffy, Joseph Sullivan,
Kevin Devine, Madeleine Roy, Jeffrey Hickock, Karen Sheehan-Lord

3. Mayor Guinta advises that nominations are in order to fill the expired term of Peter Duffy currently completing the term of Trustee Mary Heath who resigned in March 2006; such nominations to be made for a term to expire October 2013.
4. Following nominations, a motion is in order to close the nominations.
5. Unless there be a motion to suspend the rules to confirm the nominations, all nominations made shall layover to the next meeting.
6. If there is no further business to come before the joint session, a motion is in order to adjourn.
7. Mayor Guinta calls the regular meeting of the Board to order.
8. The Clerk calls the roll.

9. Introduction of Rick Brenner, President and General Manager of the Fisher Cats.
10. Presentation of MDC Quarterly Report.

CONSENT AGENDA

11. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Poll Conducted

- A. September 18-25, 2006 accepting and proceeding with an Economic Development Administration Grant Award in the amount of \$70,000 which requires matching funds.
(Aldermen Roy, Long, Duval, Osborne, Pinard, O'Neil, Lopez, Shea, DeVries, Garrity and Thibault voted yea; Aldermen Gatsas, Smith and Forest were unavailable.)

Approve under supervision of the Department of Highways subject to the availability of funding

- B. Sidewalk Petitions – 50/50 Program FY2007.

Informational – to be Received and Filed

- C. Communication from Matt Normand, Deputy Clerk, providing an update to the Board regarding the Neighborhood Enhancement Team activities.
- D. Health Department monthly report summary, August 2006.
- E. Minutes of the Mayor's Utility Coordinating Committee meeting held on August 16, 2006.

- F.** Minutes of the MTA Commission meetings held on July 25 and August 29, 2006 and the Financial and Ridership Reports for the months of July and August 2006.
- G.** Communications from PSNH advising that the NH Public Utilities Commission has issued NHPUC Order No. 24,661 for PSNH to construct and maintain electric lines over and across the public waters of the Piscataquog River.
- H.** Communication from Attorney William Squires advising that Advanced Recycling, 399 Willow Street, will be filing an Application Form to Transfer a Solid Waste Management Facility Permit with the NHDES.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

I. Resolution:

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Seventy Thousand Dollars (\$70,000) for the FY2007 CIP 811507 Economic Development Strategic Planning Project.”

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- J.** Recommending that property tax relief increases for the elderly, blind, disabled and Veterans meeting statutory requirements be approved as follows:

	From	To
<u>Exemptions effective April 1, 2006:</u>		
<i>Elderly Age between</i>		
65-74	\$70,000	\$133,700
75-79	\$95,000	\$181,450
Over 80	\$125,000	\$238,750

<i>Disabled</i>	\$90,000	\$171,000
<i>Blind</i>	\$90,000	\$165,600

Exemptions effective April 1, 2007:

<i>Veterans</i>	\$300	\$400
<i>Asset Limitations for all Elderly:</i>		
Single	75,000	75,000
Married	75,000	100,000
<i>Income Limitations for Elderly</i>		
Single	\$27,500	\$32,000
Married	\$38,500	\$45,000

The Committee notes that such recommendations are based on review following revaluation information presented by the Board of Assessors and appropriate Resolutions have been submitted for adoption.

(Unanimous vote with exception of Alderman Forest who was absent.)

- K.** Recommending that a request of the Public Health Director for revisions to Chapter 117 of the Code of Ordinances relative to food establishment permit fees be approved and referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote with exception of Alderman Forest who was absent.)

COMMITTEE ON BILLS ON SECOND READING

- L.** Recommending that Ordinances:

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 713, Lot 1, known as land on Brown Avenue.”

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 866, Lot 6, (consolidated from former 141 Broadhead and 142 through 145/half of this parcel) known as land on Brown Avenue.”

ought to pass.

(Unanimous vote except for Alderman Gatsas who was absent.)

M. Recommending that Ordinances:

“Amending Sections 33.024, 33.025, & 33.026 (Systems/Programming Manager-Systems/Development Manager, Computer Programmer-Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025, & 33.026 (Senior Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

ought to pass.

(Unanimous vote except for Alderman Gatsas who was absent.)

N. Recommending that Ordinances:

“Amending Section 33.054 (B) (2) (Overtime Compensation/Comp Time) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.076 (A), Special Leave of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

ought to pass.

(Unanimous vote except for Alderman Gatsas who was absent.)

O. Recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

ought to pass as amended.

(Unanimous vote except for Alderman Gatsas who was absent.)

COMMITTEE ON COMMUNITY IMPROVEMENT

- P.** Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$70,000 for the FY2007 CIP 811507 Economic Development Strategic Planning Project, and for such purpose a resolution and budget authorization have been submitted.

The Committee notes that matching funds will come from 2007 CIP 611407 Development Coordinator (\$17,500 – CDBG) and from 2006 CIP 610706 Planning Studies Implementation (\$52,500 – one time reserve) and that these amounts are listed for match identification purposes and will be used for the project but will not be transferred.

(Unanimous vote except for Alderman Gatsas who was unavailable.)

COMMITTEE ON HUMAN RESOURCES/INSURANCE

- Q.** Recommending that the current Parking Meter Supervisor be reclassified to a Parking Meter Technician and that the incumbent in such position be red-lined until such time as the salary grade levels are equivalent.

(Aldermen Gatsas, Shea and Pinard voted yea; Alderman Garrity voted nay; and Alderman Duval was absent.)

- R.** Recommending that the Board establish a policy that the retirement health subsidy of retired employees accepted by the City can be applied toward the copay of health insurance in cases of married active and retired employees.

(Unanimous vote except for Alderman Garrity who was absent.)

COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

- S.** Recommending that the City hire a Compliance Officer to support the Building Department.

(Unanimous vote with exception of Alderman O'Neil who was absent from vote.)

- T.** Recommending that the City hire a Compliance Officer to support Solid Waste issues for the Highway Department.

(Unanimous vote with exception of Alderman O'Neil who was absent from vote.)

- U. Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.

(Unanimous vote)

**SPECIAL COMMITTEE ON ENERGY CONTRACTS
AND RELATED PROJECTS**

- V. Recommending that a plan to terminate the Aggregation program be approved as follows:

- 1) the Enterprise Funds pay back their share of the Aggregation program by the end of FY2011;
- 2) the General Fund will pay back its share by the end of FY2011; and
- 3) the City will enter into negotiations with the School District to develop a plan to pay back its share of the Aggregation program by the end of FY2011.

(Aldermen Thibault, Lopez and Long voted yea; Aldermen Forest and Garrity were absent.)

- W. Recommending that the City endorse the Cool Cities program and authorize the Mayor to sign on to the U.S. Conference of Mayor's Climate Protection Agreement to encourage implementation of smart energy solutions.

The Committee recommends that a staff team including Highway, Traffic, Building Maintenance Division, and Recycling Coordinator review materials and report back to the Board of Mayor and Aldermen as deemed appropriate.

(Aldermen Thibault, Lopez and Long voted yea; Aldermen Forest and Garrity were absent.)

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA,
A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE
APPROVED.**

12. Nominations to be presented by Mayor Guinta, if available.
13. Confirmation of nominations to the Conservation Commission as follows:
Louis D. DeMato to succeed Todd Connors, term to expire
August 1, 2009; and
Todd Connors to fill a vacancy as an alternate, term to expire
August 1, 2008.
A motion is in order to confirm the nominations presented.
14. Confirmation of Richard Anagnost to succeed Matthew Lapointe as a
member of the Office of Youth Services Advisory Board, term to expire
January 1, 2008.
A motion is in order to confirm the nomination presented.
15. Report(s) of the Committee on Community Improvement, if available.
Ladies and Gentlemen, what is your pleasure?
16. Mayor Guinta advises that a motion is in order to recess the regular meeting
to allow the Committee on Finance to meet.

OTHER BUSINESS

17. Report(s) of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
18. Report(s) of the Committee on Human Resources/Insurance, if available.
Ladies and Gentlemen, what is your pleasure?
19. Report(s) of the Committee on Public Safety and Traffic regarding permit
parking, if available.
Ladies and Gentlemen, what is your pleasure?

20. Report of Committee on Administration/Info Systems recommending that Ordinance:

“Amending the Code of Ordinances of the City of Manchester by amending §118.33 (A) Rates For Fares Established, by decreasing the current mileage fraction by which tax rates are calculated from one-eighth of a mile to one-seventh of a mile.”

ought to pass.

Because the last temporary increase in rates for taxis has expired, the Committee requests that the rules be suspended to allow for adoption of such ordinance on October 3rd.

(Unanimous vote with exception of Alderman Forest who was absent.)

If the Board so concurs, a motion is in order to accept the report and suspend the rules and place the Ordinance on its final reading by title only at this time without referral to the Committee on Bills on Second Reading and Committee on Accounts, Enrollment and Revenue Administration.

(Following suspension, a motion will be in order to read by title only followed by a motion to Ordain.)

21. State Legislative update presented by Mayor Guinta, if available.

22. Ordinances: **(A motion is in order to read by titles only.)**

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 713, Lot 1, known as land on Brown Avenue.”

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 866, Lot 6, (consolidated from former 141 Broadhead and 142 through 145/half of this parcel) known as land on Brown Avenue.”

“Amending Sections 33.024, 33.025, & 33.026 (Systems/Programming Manager-Systems/Development Manager, Computer Programmer-Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025, & 33.026 (Senior Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.054 (B) (2) (Overtime Compensation/Comp Time) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.076 (A), Special Leave of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

These Ordinances having had their second reading by titles only, the question is on passing same to be Enrolled.

23. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.
24. Mayor Guinta calls the meeting back to order.
25. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.
Ladies and Gentlemen, what is your pleasure?
26. Communication from Alderman O’Neil regarding departmental responsibility in public right-of-ways.
Ladies and Gentlemen, what is your pleasure?
27. Communication from Paul Boynton, President & CEO, Moore Center Services, Inc., requesting the removal of a deed reverter clause on the old Highland School on Titus Avenue.
Ladies and Gentlemen, what is your pleasure?

28. Communication from Kevin Dillon, Airport Director, submitting Ordinance:
“Establishing a special purchase procedure relating to the pilot bus service program at the airport.”
and requesting the Board suspend the rules and adopt the Ordinance this evening.

If the Board so concurs, a motion is in order to suspend the rules and place the Ordinance on its final reading by title only at this time without referral to the Committee on Bills on Second Reading and Committee on Accounts, Enrollment and Revenue Administration.

(Following suspension, a motion will be in order to read by title only followed by Ordainment.)

29. Communication from Joan Porter, Tax Collector, advising that the Finance Officer has decided to change the return address to a PO Box in Boston, MA for the 2nd mailing of property tax bills in 2006, noting it should be a decision to be made by the Board of Mayor and Aldermen, and recommending that the City continue to use our Manchester PO Box.
Ladies and Gentlemen, what is your pleasure?

30. Resident’s petition to rename Camelot Circle to Camelot Place.
(Note: Highway Department supports petition name change to Camelot Place.)
Ladies and Gentlemen, what is your pleasure?

31. Ordinances: **(A motion is in order to read by titles only.)**

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 713, Lot 1, known as land on Brown Avenue.”

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 866, Lot 6, (consolidated from former 141 Broadhead and 142 through 145/half of this parcel) known as land on Brown Avenue.”

“Amending Sections 33.024, 33.025, & 33.026 (Systems/Programming Manager-Systems/Development Manager, Computer Programmer-Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

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“Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

These Ordinances having had their third and final reading by titles only, the question is on passing same to be Ordained.

32. Bond Resolution: (A motion is in order to read by title only.)

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Thousand Dollars (\$400,000) for the 2007 CIP 511207 Derryfield Country Club Rehabilitation Project.”

If the Board so desires, a motion is in order that the Bond Resolution pass and be Enrolled.

33. Resolution: (A motion is in order to read by title only.)

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Seventy Thousand Dollars (\$70,000) for the FY2007 CIP 811507 Economic Development Strategic Planning Project.”

If the Board so desires, a motion is in order that the Resolution pass and be Enrolled.

34. Resolutions: (A motion is in order to read by titles only.)

“A Resolution establishing increased property tax relief exemptions for the elderly, disabled and blind.”

“A Resolution establishing increased asset and income limitations property tax relief for the elderly, disabled and blind.”

“A Resolution authorizing increased optional property tax credits for Veterans to the amount of Four Hundred Dollars (\$400.00).”

If the Board so desires, a motion is in order that the Resolutions be adopted.

TABLED ITEMS

A motion is in order to remove any of the following items from the table for discussion.

35. Bond Resolution: (A motion is in order to read by title only.)

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307 JFK Coliseum Rehabilitation Project.”

(Tabled 09/05/2006 pending CIP recommendation.)

If the Board so desires, a motion is in order that the Bond Resolution pass and be Enrolled.

36. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)

(Tabled 09/05/2006)

37. Report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)

(Tabled 09/05/2006)

38. NEW BUSINESS

- a) Communications
- b) Aldermen

39. If there is no further business, a motion is in order to adjourn.